

CASE NO. 17-71472

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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**NATIONAL LABOR RELATIONS BOARD,**

**Petitioner,**

**v.**

**UNITED FOOD AND COMMERCIAL  
WORKERS UNION, LOCAL 4**

**Respondent,**

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**ON APPEAL FROM NLRB  
CASE NO. 19-CB-009660**

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**RESPONDENT'S ANSWER TO APPLICATION FOR ENFORCEMENT  
OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**

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Respondent admits that the Board issued its Decision reported at 365 NLRB No. 32 amending its prior Decision reported at 363 NLRB No. 127. Respondent furthermore agrees this Court has jurisdiction. Respondent however denies that the Board's Order as previously issued or as amended should be enforced. For these reasons, the Application for Enforcement should be denied.

Dated: June 1, 2017

Respectfully Submitted

By: /S/ DAVID A. ROSENFELD  
David A. Rosenfeld  
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A Professional Corporation  
  
Attorneys For Respondent,  
UNITED FOOD AND COMMERCIAL  
WORKERS UNION, LOCAL 4

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**CERTIFICATE OF SERVICE**

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501.

I hereby certify that on June 1, 2017, I electronically filed the foregoing **RESPONDENT'S ANSWER TO APPLICATION FOR ENFORCEMENT OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD** with the United States Court of Appeal for the Ninth Circuit, by using the Court's CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Notice of Electronic Filing by CM/ECF system.

I certify under penalty of perjury that the above is true and correct.  
Executed at Alameda, California, on June 1, 2017.

/s/ *Katrina Shaw*  
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Katrina Shaw